V.S. DISTRICT COURT VESTERN DISTRICT OF LOUISIANA RECEIVED

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TONY R. MOORE CLERK

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

ALEXANDRIA DIVISION

MERRIELL R. CUMMINGS

DOCKET NO.:1:14-cv-3362

VERSUS

LOUISIANA DEPT. CHILDREN & FAMILY SERVICES

JUDGE DEE D. DRELL MAGISTRATE JUDGE JAMES D. KIRK

JUDGMENT

For the reasons contained in the Report and Recommendation of the Magistrate Judge previously filed herein, and after independent (de novo) review of the record including the objections filed herein, and having determined that the findings and recommendations are correct under the applicable law;

IT IS ORDERED that the defendants' motion to dismiss is GRANTED and Cumming's claims under the ADA only are DISMISSED without prejudice. The Motion to Amend (Doc. No. 12) is not ruled upon at this time, as the State's response is pending.

THUS DONE AND SIGNED in chambers at Alexandria, Louisiana on this day of August, 2015.

DEE D. DRELL, CHIEF JUDGE UNITED STATES DISTRICT COURT